

1 SANFORD L. MICHELMAN, ESQ. (SBN 179702)  
2 smichelman@mrllp.com  
3 ROBERT D. ESTRIN, ESQ. (SBN 260402)  
4 restrin@mrllp.com  
5 **MICHELMAN & ROBINSON, LLP**  
6 10880 Wilshire Blvd., 19th Floor  
7 Los Angeles, CA 90024  
8 Telephone: (310) 564-2670  
9 Facsimile: (310) 564-2671

10 TODD H. STITT, ESQ. (SBN 179694)  
11 tstitt@mrllp.com  
12 **MICHELMAN & ROBINSON, LLP**  
13 17901 Von Karman Avenue, 10th Floor  
14 Irvine, California 92614  
15 Telephone: (714) 557-7990  
16 Facsimile: (714) 557-7991

17 Attorneys for Plaintiff  
18 WESTERN AIR CHARTER, INC. dba JET EDGE

19 **UNITED STATES DISTRICT COURT**  
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**CENTRAL DISTRICT OF CALIFORNIA**

21 WESTERN AIR CHARTER, INC.,  
22 doing business as JET EDGE  
23 INTERNATIONAL, a California  
24 corporation,

25 Plaintiff,

26 v.

27 PAUL SCHEMBARI, an individual;  
28 ACP JET CHARTERS, INC., doing  
business as PHENIX JET, a Florida  
corporation; PHENIX JET LLC, a  
Guam Limited Liability Company,  
COSA DI FAMIGLIA HOLDINGS,  
LLC, a Guam Limited Liability  
Company, and DOES 1-10,  
inclusive,

Defendants.

Case No.: 2:17-cv-00420-JGB (KSx)  
Honorable Jesus G. Bernal

**EX PARTE APPLICATION TO  
PERMIT THE FILING OF A  
RESPONSE TO DEFENDANTS'  
RESPONSE TO PLAINTIFF'S  
APPLICATION TO FILE UNDER  
SEAL (DKT. NO. 184)**

[Proposed Order filed concurrently  
herewith]

**Trial Date: January 15, 2019**

Date: September 10, 2018

Time: 9:00 a.m.

Dept: Courtroom 1

Judge: Hon. Jesus G. Bernal

## **NOTICE OF MOTION**

## **TO DEFENDANTS AND THEIR COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that Plaintiff Western Air Charter, Inc., d/b/a Jet Edge International (“Jet Edge” or “Plaintiff”) hereby moves ex parte requesting the Court permit Jet Edge to file a reply to Defendants’ response to Plaintiff’s Application to File Under Seal, of no more than five (5) pages.

With respect to the foregoing, on August 6, 2018, Plaintiff filed an application to file under several highly confidential documents, consisting of Jet Edge trade secrets. (See Dkt. Nos. 178-179). On August 13, 2018, Defendants filed a response to Plaintiff's Application File Under Seal. (See Dkt. No. 184). Many of the reasons set forth in Defendants' response to unseal Jet Edge's confidential documents, including the legal authorities therein, do not have merit. In that regard, Plaintiff would respectfully request the opportunity to respond to Defendants' response to rebut Defendants' arguments due to the nature of the documents.

If the Court permits Plaintiff to respond, Jet Edge will address Defendants' arguments as to why the following documents should be kept under seal: (i) the employment agreement between Jet Edge and Paul Schembari; (ii) the Aircraft Charter Management Agreements ("ACMAs") between Jet Edge and its customers; (iii) the ACMAs between Phenix Jet and its customers; (iv) the employee handbooks of Jet Edge and Phenix Jet; and (v) the Jet Edge initial operating experience documents.

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1 Plaintiff requests that the Court permit it until August 27, 2018 to file its  
2 response, which is the same day Plaintiff's reply brief in support of its motion for  
3 summary judgment is due.

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5 Dated: August 17, 2018

MICHELMAN & ROBINSON, LLP

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By: \_\_\_\_\_  
9 Sanford L. Michelman  
10 Todd H. Stitt  
11 Robert D. Estrin  
12 *Attorneys for*  
13 *WESTERN AIR CHARTER, INC.*  
*doing business as JET EDGE*  
*INTERNATIONAL*

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